

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CASE NO. 00-6360-CR-DIMITROV

EDUARDO VILAHU RODRIGUEZ,

MAGISTRATE JUDGE: SNOW

Defendant.

UNOPPOSED MOTION FOR CONTINUANCE OF TRIAL

COMES NOW, the Defendant, EDUARDO VILAHU RODRIGUEZ, by and through his undersigned counsel, and files this Unopposed Motion for Continuance of Trial and in support states the following:

1. The Defendant's trial is presently scheduled for the two-week trial period commencing October 1, 2001.
2. On or about August 10, 2001, undersigned counsel was appointed as CJA counsel.
3. Since then, the Defendant has been arraigned. However, the Discovery process has not been completed and thus counsel is not ready to proceed. Counsel has reviewed, with the Defendant, the initial Government's Response to Standing Discovery Order, and is awaiting delivery of additional Discovery from Lanier Professional Services, an additional 739 to over 1,000 documents.
4. Additionally, undersigned counsel has been in trial in the case of United States of America vs. Asia Nelson, et. al., Case No. 00-6162-CR-ROETTGER, since August 27.

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2001. This case is a multi-defendant case estimated to take approximately one (1) more week of trial time before it goes to the jury.

5. Undersigned counsel will not be prepared for trial during the trial period commencing October 1, 2001.

6. Donald F. Chase, Assistant United States Attorney, has no opposition to this motion being granted.

7. *Undersigned counsel and the Defendant need additional time to adequately prepare this case for trial. A forty-five (45) day continuance is sought.*

8. This motion is made in good faith and not for purposes of delay.


9. That the interest of justice is served by the granting of a continuance to allow counsel for the Defendant reasonable time necessary for effective preparation for trial and thus this outweighs any interest of the public or the Defendant in a speedy trial.

10. That the period of delay would be excludable time under the Speedy Trial Act, 18 United States Code, Section 3161, (h)(B)(iv).

WHEREFORE, the Defendant moves this Court to grant this motion for continuance.

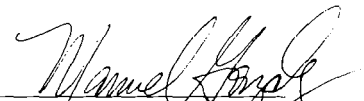
Respectfully submitted,

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(305) 567-0100
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BY: 
MANUEL GONZALEZ, JR., ESQ.
FLORIDA BAR NO. 397991

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by U.S. Mail to Donald F. Chase, II, Assistant United States Attorney, 500 E. Broward Blvd., Suite 700, Ft. Lauderdale, Florida 33301, this 15th of September, 2001.

BY: 
MANUEL GONZALEZ, JR., ESQ.